

Guide to Youth and their Parents/Guardians on complying with “An Act Establishing a Sensible State Marihuana Policy,” commonly known as “Question 2.”

What is Question 2?

On November 4, 2008, the voters passed Ballot Question 2, “An Act Establishing a Sensible State Marihuana Policy”, commonly known as Question 2. The new law became effective on January 2, 2009. A full copy of this law can be found at the MA Executive Office of Public Safety and Security website: <http://www.mass.gov/eopss/> under the section entitled: “2008 Statewide Ballot Initiative Question 2: ‘An Act Establishing a Sensible State Marihuana Policy.’”

What do I need to know about complying with Question #2?

A youth who is under the age of 18 and has been found in possession of one ounce or less of marihuana and charged with a civil offense is subject to a \$100 civil penalty and forfeiture of the contraband. In addition, within one year of the date of the offense listed on the citation, the youth must complete a drug awareness program that includes (1) four hours of classroom instruction or group discussion (classroom instruction requirement), **and** (2) ten hours of community service (community service requirement). The youth or his/her parent or legal guardian is responsible for demonstrating to the court that the youth has completed both requirements of the drug awareness program by filing certificates of completion of both requirements, with the court, within one year of the date of the offense. If the youth fails to complete both requirements of the drug awareness program within one year of the offense, the court may increase the civil penalty to as much as \$1,000, for which the youth and his or her parents are jointly responsible. If the certifications required to document completion of both requirements of the drug awareness program are not timely filed, the court is to notify the youth and the parent or guardian of a hearing to show cause why the civil penalty should not be increased to \$1,000. Lack of ability to pay, and unavailability of a program, are recognized defenses.

How do I complete the Classroom Instruction Requirement of the Drug Awareness Program?

Classroom instruction sessions of the drug awareness programs will be scheduled periodically throughout the state based on demand. A youth who receives a citation under this law must register for classroom instruction under the drug awareness program by calling the Institute for Health and Recovery (IHR) at (617) 661-3991, or toll free at (866) 705-2807 and ask to speak with the Question 2 Project Specialist. Youth will be asked to provide a current address and telephone number, and will be contacted by IHR when a classroom instruction placement becomes available.

What should I do if I move or change my phone number?

It is important for the youth to provide accurate and current contact information. Youth who move and/or change telephone numbers prior to attending classroom instruction must report the change by calling IHR at (617) 661-3991 or (866) 705-2807.

Parents/guardians are responsible for keeping the youth’s registration information up to date.

What do I bring with me to the Classroom Instruction Session(s)?

Youth must bring identification to the classroom instruction session(s). Acceptable forms of identification include student IDs, a driver's license, birth certificate, social security card or baptismal certificate. If the youth does not have one of the acceptable forms of ID described above, s/he may be signed into the training by a parent/guardian.

How do I obtain the Certificate of Completion for the Classroom Instruction Requirement of the Drug Awareness program?

After the youth has attended and completed the 4-hour classroom instruction, a "Certificate of Completion" for the classroom instruction requirement of the drug awareness program will be provided by IHR. It is the responsibility of the youth, or the parent, or legal guardian for the youth to file this certificate with the court, along with a certificate of completion of the community service requirement, discussed below, within one year of the date of the citation. **Both** certificates must be filed to demonstrate compliance with the drug awareness program requirements and avoid the penalty for failure to comply with those requirements. If the certificate of completion of the classroom instruction requirement is misplaced a copy may be obtained by calling IHR at (617) 661-3991 or (866) 705-2807.

How do I complete the Community Service Requirement of the Drug Awareness Program?

In addition to the classroom instruction requirement of the drug awareness program, the youth is required to complete the 10 hour community service requirement of that program. Community service opportunities that qualify for completion of this requirement are available statewide only through the "Connect and Serve" program administered by the Massachusetts Service Alliance (MSA).

- MSA can be reached at the following website:
<http://www.volunteersolutions.org/mass-service/volunteer/> or
Phone: (617) 542.2544

Youth are required to visit the website and select a community service opportunity. The youth may choose from any of the community service/volunteer opportunities listed. It is the responsibility of the youth, the parent or legal guardian to contact the community service program or agency and ask if the youth may volunteer. (Note: There may not be a volunteer opportunity listed in your city/town. Some volunteer opportunities listed on the web site may not be appropriate for youth volunteers). The ten hours of community service may be fulfilled by serving multiple hours at multiple locations, as long as all of the hours are served at an agency/organization listed on the "Connect and Serve" website.

What if I want to engage in community service at a program that is not listed on the Connect and Serve website?

If the youth wants to volunteer at an organization that is not listed on the "Connect and Serve" website, the youth may ask that organization to register with "Connect and Serve." The organization must be registered in order to be considered as a qualifying community service site. Organizations can register by logging onto:

<http://www.volunteersolutions.org/mass-service/agency/signup.tcl>

Any organization interested in additional information on how to register to be a community service site may contact:

The Massachusetts Service Alliance,
100 North Washington Street, Third Floor,
Boston, MA 02114,
P: 617.542.2544

Note: The organization must be a Governmental Organization or a qualified non profit 501(c) (3) or a city, county, state or federal agency to register and be accepted for posting on the "Connect and Serve" web site.

How do I obtain the Certificate of Completion for the Community Service Requirement of the Drug Awareness Program?

Once the youth has completed 10 hours of community service with a program listed on the Connect and Serve site, the youth/parent/guardian is responsible for obtaining a completed "Community Service Certificate of Completion Form" (see attached) signed by the /organization(s) where the youth engaged in such service. The completed certification form must document the total number of community service hours the youth served. Documentation of completion of a total of 10 hours of community service is needed to meet this requirement. This form is the youth's Certificate of Completion for the community service requirement. [The Community Service Certificate of Completion form is attached.]

What do I do with the Certificate of Completion for the Community Service Requirement of the Drug Awareness Program?

The youth or parent/guardian must file with the court the original of the completed Community Service Certificate form(s) signed by the organization(s) as described above. This form must be filed with the court, along with a certificate of completion of the classroom instruction requirement, also discussed above, within one year of the date of the citation. **Both** certificates must be filed to demonstrate compliance with the drug awareness program requirements and avoid the penalty for failure to comply with those requirements.

In addition, the youth or parent/guardian must mail a copy of the completed Community Service Certificate form(s) signed by the organization(s) to:

Executive Office of Health and Human Services
Attention: Question #2 Volunteer Certification
One Ashburton Place, 11th floor
Boston, Mass. 02108

EOHHS will periodically audit volunteer activity to check for accuracy and/or fraud.

Who do I call if I have questions about the Community Service Requirement?

If you have questions about the community service requirement of the drug awareness program, you may call (617) 573-1600. You will be directed to the Question 2 Coordinator Voicemail Box. Please leave your name and phone number and a staff person will get back to you as soon as possible.